

12/17/01  
U.S. PTO

12-20-01

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Approved for use through 10/31/2002 OMB 0551-0032

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PTO/SB/05 (03-01)

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. **BA1037 US DIV**First Inventor **Saverio Carl Falco et al.**Title **Chimeric Genes and Methods for Increasing the Lysine and Threonine Content of the Seeds of Plants**Express Mail Label No. **EF117003511US**TO  
S  
10/17/01  
JCT 1515  
10/17/01**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

Applicant claims small entity status.  
See 37 CFR 1.27.

Specification [Total Pages **125**]    
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer readable form (appendix)  
- Description of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure

Drawing(s) (35 U.S.C. 113) [Total Sheets **21**]    
5. Oath or Declaration [Total Pages **2**]

a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)

**I. DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231**ACCOMPANYING APPLICATIONS PARTS**

Assignment Papers (cover sheet & documents(s))  
10.  37 C.F.R. §3.73(b) Statement  Power of  
(when there is an assignee) Attorney

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.

17.  Other: Request to Amend Drawings Under 37 CFR  
1.12(d), Petition Under 37 CFR 1.148(d), Amendment  
Correcting Inventorship Under 37 CFR 1.148(b)

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76: Continuation  Divisional  Continuation-in-part (CIP) of prior application No: 08 / B23771 filed March 24, 1997, which is a Divisional of  
08/474633 filed June 7, 1995, which is a Continuation in part of 08/176212 filed January 6, 1994 which was the National filing of PCT/US93/02480 filed  
March 18, 1993 which is a continuation part of 07/8545414 filed March 19, 1992.

Prior application information:

Examiner E. McElwain Group / Art Unit: 1638

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**17. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label		 <b>23906</b> <small>PATENT TRADEMARK OFFICE</small>		<input type="checkbox"/> Correspondence address below	
Name					
City		State	Zip Code		Fax
Country		Telephone			
Name (Print/Type)		Registration No. (Attorney/Agent)		30,971	
Signature		Lynne M. Christenbury		Date Dec 17, 2001	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 908)

Complete if Known	
Application Number	Unknown
Filing Date	Unknown
First Named Inventor	Saverio Carl Falco et al.
Examiner Name	Unknown
Group / Art Unit	Unknown
Attorney Docket No.	BB1037 US DIV

## METHOD OF PAYMENT (check all that apply)

 Check    Credit card    Money Order    Other    None Deposit Account:

Deposit Account Number	04-1928
Deposit Account Name	E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	740
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 740)

## 2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	11	-20	= 0	X 18 = 0
Independent Claims	5	-3	= 2	X 84 = 168
Multiple Dependent			X 280	= 0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 168)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

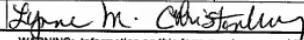
3. ADDITIONAL FEES	Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)			
105 130	205 65		Surcharge - late filing fee or oath	
127 50	227 25		Surcharge - late provisional filing fee or cover sheet	
139 130	139 130		Non-English specification	
147 2,520	147 2,520		For filing a request for reexamination	
112 920*	112 920*		Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*		Requesting publication of SIR after Examiner action	
115 110	215 55		Extension for reply within first month	
116 400	216 200		Extension for reply within second month	
117 920	217 460		Extension for reply within third month	
118 1,440	218 720		Extension for reply within fourth month	
129 1,960	228 980		Extension for reply within fifth month	
119 320	219 160		Notice of Appeal	
120 320	220 160		Filing a brief in support of an appeal	
121 280	221 140		Request for oral hearing	
138 1,510	138 1,510		Petition to institute a public use proceeding	
140 110	240 55		Petition to revive – unavoidable	
141 1,280	241 640		Petition to revive – unintentional	
142 1,280	242 640		Utility issue fee (or reissue)	
143 460	243 230		Design issue fee	
144 620	244 310		Plant issue fee	
122 130	122 130		Petitions to the Commissioner	
123 50	123 50		Processing fee under 37 CFR 1.17(q)	
126 180	126 180		Submission of Information Disclosure Stmt	
581 40	581 40		Recording each patent assignment per property (times number of properties)	
146 740	246 370		Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370		For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370		Request for Continued Examination (RCE)	
169 900	169 900		Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Lynne M. Christenbury	Registration No. Attorney/Agent	30,971	Telephone	302-992-5481
Signature					
Date	Dec 17, 2001				

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PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

SAVERIO C. FALCO ET AL.

CASE NO.: BB-1037 US DIV

APPLN. NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: UNKNOWN

EXAMINER: UNKNOWN

FOR: CHIMERIC GENES AND METHODS  
FOR INCREASING THE LYSINE AND  
THREONINE CONTENT OF THE  
SEEDS OF PLANTS

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**Petition Under 37 CFR §1.48(b)**

Petition is made pursuant to 37 CFR §1.48(b) to delete the names of Sharon Jo Keeler and Janet Ann Rice as joint inventors. With this change, the inventor of the invention now claimed is Saverio Carl Falco.

Sharon Jo Keeler and Janet Ann Rice are deleted as co-inventors in the above-identified application since their contribution to the invention as originally claimed is no longer being claimed.

Please charge the required fee under 37 CFR 1.17(h) of \$130.00 to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If this fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

*Lynne M. Christenbury*  
Lynne M. Christenbury  
Attorney for Applicants  
Registration No. 30,971  
Telephone: 302-992-5481

Date: Dec 17, 2001

10023066-121701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

SAVERIO CARL FALCO ET AL.

CASE NO.: BB1037 US DIV

APPLICATION NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HEREWITH

EXAMINER: UNKNOWN

FOR: CHIMERIC GENES AND METHODS FOR INCREASING THE LYSINE AND  
THREONINE CONTENT OF THE SEEDS OF PLANTS

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**DECLARATION IN ACCORDANCE WITH 37 CFR 1.821**

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively are the same.

Respectfully submitted,



LYNNE M. CHRISTENBURY  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 30,971  
TELEPHONE: 302-992-5481  
FACSIMILE: 302-892-1026

Dated: Dec 17, 2001

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